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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

CHRISTOPHER NELSON, on behalf of
himself and all others similarly situated,

Plaintiff,

vs.

WAL-MART ASSOCIATES, INC. and DOES
1 through 50, inclusive,

Defendant(s).

Case No.: 3:21-cv-00066-MMD-CLB

**STIPULATION AND ORDER TO EXTEND
TIME TO FILE OPPOSITION TO
MOTION FOR CIRCULATION OF
NOTICE PURSUANT TO 29 U.S.C. §216(b)
AND RELATED REPLY BRIEF AND TO
EXTEND DEADLINE FOR FED. R. CIV. P.
RULE 23 CLASS CERTIFICATION**

(Second Request)

Pursuant to Local Rules IA 6-1, IA 6-2 and LR 7-1, Defendant Wal-Mart Associates, Inc. (“Defendant”) and Plaintiff Christopher Nelson (“Plaintiff”) hereby request an extension of time for Defendant to file its Opposition to Plaintiff’s Motion for Conditional and Collective Class Action Certification and for the related Reply deadline. This is the parties second request for an extension of these deadlines. The first request was made on November 19, 2021 (ECF No. 40) and granted on December 2, 2021 (ECF No. 41).

1 Good cause exists to extend Defendant's Opposition deadline. Defendant needs additional
2 time to access relevant information to prepare its Opposition and is unable to do so given recent
3 illnesses that have impacted both witness and counsel availability.

4 The current deadline for filing Defendant's Opposition to Plaintiff's Motion for Conditional
5 and Collective Class Action Certification is January 21, 2022 with a Reply deadline of February 11,
6 2022. (ECF No. 36.) Defendant is requesting up to and including March 4, 2022 to file its
7 Opposition, to which Plaintiff sees no objection. Accordingly, the new deadline for filing the
8 Opposition would be March 4, 2022 and Plaintiff's Reply would be due April 8, 2022.

9 Additionally, given that the parties are extending the remaining deadlines on the Motion for
10 Conditional and Collective Class Action Certification, it only makes sense to do the same for the
11 Rule 23 Motion for Class Certification. The current deadline for filing the Motion for Fed. R. Civ.
12 P. Rule 23 Class Certification is March 4, 2022 with responses due April 4, 2022 and replies due
13 April 18, 2022. (ECF No. 41.) The parties are requesting a five-week extension of these deadlines.
14 Accordingly, the new deadline for filing the Motion for Fed. R. Civ. P. Rule 23 Class Certification
15 would be April 15, 2022, responses would be due May 16, 2022 and replies would be due May 31,
16 2022.

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This Stipulation is made in good faith and is not intended for purposes of delay.

DATED this 21st day of January, 2022.

DATED this 21st day of January, 2022.

THIERMAN BUCK LLP

OGLETREE, DEAKINS, NASH, SMOAK & STEWART,
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/s/ Joshua R. Hendrickson

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ORDER

IT IS SO ORDERED.



UNITED STATES DISTRICT COURT JUDGE

January 25, 2022

DATED